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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
|-----------------|-------------|----------------------|---------------------|

09/047,348 03/25/98 JEYACHANDRAN

S 35.C12660

005514 LM02/0912
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EXAMINER

KANDE, P

ART UNIT

PAPER NUMBER

2765

DATE MAILED:

9
09/12/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/047,348

Applicant(s)

Jeyachandran et al.

Examiner

Pedro R. Kanof

Group Art Unit

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☒ Responsive to communication(s) filed on Jun 20, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 5, 7, 9, 15, 19, and 21-32 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 5, 7, 9, 15, 19, and 21-32 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Response to Amendment

1. This correspondence is in response to the amendment filed 6/20/00.
2. Claims 5, 7, 9, 15, 17, 19, and 21 have been amended as specified.
3. Claims 1-4, 6, 8, 10-14, 16, 18 and 20 have been canceled as requested.
4. Claims 22-32 have been added as requested.
5. In view of the amendment and the arguments presented by the Applicant,
claims 23, 28 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Huemoeller et al. (U.S. Patent No. 5,855,006),
claims 5, 15 and 21 are rejected under 35 USC 103 (a) over Huemoeller et al. (U.S. Patent No. 5,855,006) in view of Hoshino et al. (U.S. Patent No. 6,073,062), and
claims 7, 9, 17, 19, 22, 24-27, and 29- 31 are rejected under 35 USC 103 (a) over Huemoeller et al. (U.S. Patent No. 5,855,006) in view of Hoshino et al. (U.S. Patent No. 6,073,062) and further view of Zhang et al. (U.S. Patent No. 6,016,478)

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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7. Claim 5 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Sensors are well known in the art which can detect whether or not the user is in his seat by various means, such as motion detectors, infrared, weight, etc. However, sensors have not been developed which can predict when a user is about to leave his seat. These sensors have a wide gamut of uses, for example:

in the safety mobile industry:

- Hoshino et al., U.S. Patent No. 6,073,062, disclose a Mobile terminal and moving body operation management system (Col. 21, lines 26-40, Col. 33, lines 30-40 and Col. 35, lines 36-44),
- Burguess et al., U.S. Patent No. 5,815,554, disclose a Method and system for indicating operator availability (Col.2, lines 2-16, Col. 5, lines 35-42, Col. 8, lines 29-37 and Col. 11, lines 21-32),

in the retail industry:

- Hamano et al., U.S. Patent No. 4,661,908, disclose a Sales Data Processing System,

and in the sanitary industry:

- Higuchi et al., U.S. Patent No. 4,926,504, disclose a Toilet seat structure capable of automatically feeding a seat covering paper onto a toilet seat,

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- Higuchi et al., U.S. Patent No. 4,926,505, disclose a Toilet seat structure capable of automatically feeding a seat covering paper on a toilet seat,
- Nagai et al., U.S. Patent No. 4,598,431, disclose a Sanitary Cleaning Apparatus,
- Aibe, U.S. Patent No. 5,829,066, discloses a Deodorizing apparatus and a toilet provided with the apparatus, and
- Nakano et al., U.S. Patent No. 5,507,554, discloses a Safety seat and safety arrangement of seats.

Examiner assumes that the applicant's detector is sensing that the user has ^{left}leave his the seat and not attempting to predict that the user will be leaving his seat in a near future.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

9. Claims 23, 28 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by

Huemoeller et al. (U.S. Patent No. 5,855,006).

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Claims 23, 28 and 32: Huemoeller discloses an information processing apparatus, a method and a computer-readable storage medium, comprising:

- a schedule storage, for storing a plurality of pending undertakings (Col. 2, lines 16-20);
- an entry adder, that adds a new undertaking to said schedule storage (Col. 2, lines 20-24);
- a search unit to search said storage for a pending undertaking relevant to the new undertaking (Col. 2, lines 12-16); and
- a notifier to notify the user of the pending undertaking relevant to the new undertaking (Col. 2, line 61-Col. 3, line 2).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 5, 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Huemoeller et al. (U.S. Patent No. 5,855,006) in view of Hoshino et al., U.S. Patent No. 6,073,062

Claims 5, 15 and 21: Huemoeller discloses an information processing apparatus, a method and a computer-readable storage medium, comprising:

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a notifier that notifies a user by generating data indicative of a pending undertaking when a detector senses that the user has left his seat (Col. 2, lines 12-60 and Col. 4, lines 17-32)..

However, Huemoeller does not explicitly disclose that the detector senses that a user is about to leave his seat. Hoshino and many others disclose such a detector, as was discussed above in paragraph 7.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a detector that detects that a user has left his seat in the Huemoeller's invention. One would have been motivated to use such a detector with that step in order to increase efficiency of the users by decreasing the chance of missed appointments, etc.

10. Claims 7, 9, 17, 19, 22, 24-27, and 29- 31 are rejected under 35 USC 103 (a) over Huemoeller et al. (U.S. Patent No. 5,855,006) in view of Hoshino et al. (U.S. Patent No. 6,073,062) and further view of Zhang et al. (U.S. Patent No. 6,016,478)

11. Claims 7 and 17: Huemoeller and Hoshino disclose an information processing apparatus, a method and a computer-readable storage medium according to claims 5 and 15. However, neither Huemoeller nor Hoshino disclose the steps of searching a pending undertaking relevant to a destination of the user when he leaves his seat; and a controller that controls the notifier to notify the user of the pending undertaking relevant to the destination of the user. Zhang discloses:

a search unit that searches a pending undertaking relevant to a destination of the user when he leaves his seat (Col. 21, lines 14-67); and

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a controller that controls the notifier to notify the user of the pending undertaking relevant to the destination of the user (Fig. 1A, I/O, Controller 103). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include such steps. One would have been motivated to include such steps in order to increase the system capabilities.

Claims 9 and 19: Huemoeller and Hoshino disclose an information processing apparatus, a method and a computer-readable storage medium according to claim 5 and 15. However, neither Huemoeller nor Hoshino disclose a searcher unit that searches a pending undertaking relevant to a person whom the user is going to meet when he leaves his seat; and a controller that controls said notifier to notify the user of the pending undertaking relevant to the person whom the user is going to meet. Zhang discloses:

a searcher unit that searches a pending undertaking relevant to a person whom the user is going to meet when he leaves his seat (Col. 10, lines 44-60); and

a controller that controls said notifier to notify the user of the pending undertaking relevant to the person whom the user is going to meet (Fig. 1A, I/O, Controller 103). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include such steps. One would have been motivated to include such steps to increase to increase efficiency of the users.

Claims 22 and 27: Huemoeller and Hoshino disclose an information processing apparatus, a method and a computer-readable storage medium according to Claims 5 and 15. However,

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neither Huemoeller nor Hoshino disclose a search unit to search for a pending undertaking to be performed soon; and a controller to control said notifier to notify the user of the pending undertaking to be performed soon.

Zhang discloses the steps in which:

a search for a pending undertaking to be performed soon and (Col. 12, lines 51-64); and
a controller to control said notifier to notify the user of the pending undertaking to be performed soon (Fig. 1A, I/O, Controller 103). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include such steps. One would have been motivated to include such steps in order to increase efficiency of the users.

Claims 24 and 29: Huemoeller and Hoshino disclose an information processing apparatus, a method and a computer-readable storage medium according to Claims 23 and 28. However, neither Huemoeller nor Hoshino disclose the steps in which a search unit searches a pending undertaking relevant to a location where the new undertaking is to be performed. Zhang discloses the step in which a search unit searches a pending undertaking relevant to a location where the new undertaking is to be performed (Col. 15, lines 22-31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include such steps. One would have been motivated to include such steps in order to increase efficiency of the users.

Claims 25 and 30: Huemoeller and Hoshino disclose an information processing apparatus, a method and a computer-readable storage medium according to Claims 23 and 28. However, neither Huemoeller nor Hoshino disclose the steps in which a search unit searches a

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pending undertaking relevant to a person related to the new undertaking. Zhang discloses the step in which a search unit searches a pending undertaking relevant to a person related to the new undertaking (Col. 13, lines 39-53). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include such steps. One would have been motivated to include such steps in order to increase the system capabilities.

Claims 26 and 31: Huemoeller and Hoshino an information processing apparatus, a method and a computer-readable storage medium according to Claim 23. However, neither Huemoeller nor Hoshino disclose the steps in which a search unit searches for a pending undertaking to be performed subsequent to the new undertaking. Zhang discloses the step in which a search unit searches for a pending undertaking to be performed subsequent to the new undertaking (Col. 11, lines 37-52). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include such steps. One would have been motivated to include such steps in order to increase efficiency of the users.

Response to Arguments

12. Applicant's arguments filed on 6/20/00 have been fully considered but they are not persuasive.

A.. Applicant argues that: "Nothing has been found or pointed out in *Huemoeller*, however, that is seen to teach or suggest detecting when a user is about to leave his seat, or any

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means by which that function could be performed, as recited in Claims 5, 15 and 21. Still less would anything in that patent teach or suggest providing a notification to the user in response to such a detection”(Page 10, lines 3-9).

Examiner notes that Huemoeller anticipates claims 5, 15 and 21, as now amended, by disclosing a “notifier that notifies a user of a pending undertaking.” Huemoeller’s invention states:

“In addition, an alarm menu AL is provided to enable the user to turn on the alarm function by selecting (“X”) “Alarm” and setting the length of time prior to this scheduled event the alarm should be generated. The user can also select the type of alarm indication, from a menu of possible visual and audible alerts that can be produced by the user terminal device PC.” (emphasis added) (Col. 6, lines 35-41).

Thus, Huemoeller discloses a notifier that notifies a user with a menu of possible visual and audible alerts prior about a pending undertaking event or a scheduled event. The steps (and feature) regarding a detector that detects that a user is to leave his seat was above discussed. Thus, Huemoeller anticipates claims 5, 15 and 21, as now amended.

B. Applicant further argues that: “Even if *Huemoeller* is deemed to show a system in which various historic (or other) events that occurred on the same date in prior years as an entered scheduled event, nothing found or pointed out in that patent is seen to teach or suggest searching a storage of scheduled pending undertakings to find any that are relevant to a newly-entered one, as recited in Claim 23. Still less does anything in that patent teach or suggest any means or method by which such searching function would be performed.” (Page 10, line 22-

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page 11, line 6).

Examiner notes that Huemoeller states: “The personal activity scheduling apparatus AP is shown in block diagram form in FIG. 1 and comprises a calendar system CA which interconnects with the clock C of the central processing unit CPU to generate and maintain the calendars described below. The calendar system CA preferably comprises a module which dynamically generates a present date calendar, which date is indicated by the system clock C, and presents a display to the user on display D of this present date calendar in the form selected by the user. In addition, at least one, and preferably a plurality of application modules TB1-TBn (also termed time based software modules hereinbelow) are included, each of which generates data indicative of events which may be of interest to the user. The events can be time-based or situational-based...”(emphasis added) (Col. 4, lines 17-30).

Examiner notes that a situational-based event is “leave his seat”, and that the step of searching a storage of scheduled pending undertakings is performed by a module which dynamically generates a present date calendar using the generate and maintain calendars in the CPU.

Thus, Huemoeller anticipates claims 23, 28 and 31, as now amended.

Conclusion

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13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

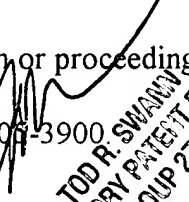
a shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Pedro R. Kanof whose telephone number is (703) 308-9552. The examiner can normally be reached on weekdays from 6:30 a.m. to 3:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Tod Swann, can be reached on (703) 308-7791. The fax phone number for this Group is (703) 308-1396.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-3900.

PRK-8/31/00.


TOD R. SWANN
ASSISTANT PATENT EXAMINER
GROUP 2765